HIGH COURT OF CHHATTISGARH AT BILASPUR
Writ Petition No. 81 of 2003

Petitioners	1.	Ram Nath Soni, S/o Late Ganga Sao Soni, Aged about 63 years, Resident of Baniatoli, Tahsil & Dist. Jashpur (Chhattisgarh)
	2.	Sagar Ram Nagdev S/o Late Nete Ram Nagdev, Aged about 63 years, R/o Village - Harradipa, Tahsil Manora, District Jashpur, Chhattisgarh
	Versus	
Respondents	1.	State of Chhattisgarh Through the Secretary School Education Department, Mantralaya, D.K.S. Bhawan, Raipur (Chhattisgarh)
	2.	District Treasury Officer Jashpur Chhattisgarh.
	3.	Joint Director (Treasury Accounts & Pension) Bilaspur Division, Bilaspur, Chhattisgarh.

WRIT PETITON UNDER ARTICLE 226 OF THE CONSTITUTION

SB : Hon'ble Justice Shri Satish K. Agnihotri

Present: Mr. Ashish Shrivastava, Advocate for the petitioners.
Mr. V.V.S. Murthy, Deputy Advocate General with Mr. Sushil Dubey, Govt. Advocate for the respondents

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ORDER

(Passed on this 7th day of May, 2007)

1. Mr. Ashish Shrivastava, learned counsel appearing for the petitioners as well as Mr. V.V.S. Murthy, learned Deputy Advocate General with Mr. Sushil Dubey, learned Govt. Advocate jointly submit that the facts and question of law involved in the present writ petition are the same to that of in W.P. No. 4432/1996 **(Vidya Shankar Tiwari Vs. State of M.P. (Now State of Chhattisgarh) and others)** 2006 (2) M.P.H.T. 31 (CG), which has been allowed vide order dated 23.12.2005.
2. In view of the above stated submission made by learned counsel appearing for the parties, the writ petition is allowed in the same

terms. The impugned orders dated 30.4.2002 (Annexure P/2), 1.5.2002 (Annexure P/3) and 26.7.2002 (Annexure P/4) are quashed and the respondents are directed to refund the amount, if any, recovered pursuant to the orders dated 30.4.2002, 1.5.2002 and 26.7.2002 from the petitioners. This order shall not come in the way of the respondents/authorities to take any action, if so advised, against the officers who are responsible for making payments, if any, to the petitioners concerned. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

B/-